

1 HONORABLE RONALD B. LEIGHTON  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 MARKUS A OVERLY,

11 Plaintiff,

12 v.

13 ERIC K SHINSEKI,

Defendant.

CASE NO. C11-5908 RBL

ORDER

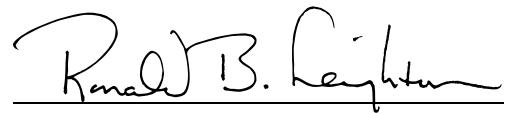
14 THIS MATTER is before the Court on Plaintiff's application to proceed *in forma*  
15 *pauperis* under 28 U.S.C. § 1915(a). The Court has broad discretion in determining an  
16 application to proceed *in forma pauperis*. *Weller v. Dickson*, 314 F.2d 598 (9<sup>th</sup> Cir. 1963), *cert.*  
17 *denied* 375 U.S. 845 (1963).

18 As of the date of the filing of this case, Plaintiff indicates that he is employed at a salary  
19 of \$1,800.00 per month and receives a VA disability of \$1,400 per month.

20 It is apparent that Plaintiff is able to pay the filing fee in this case, and should be required  
21 to do so. Accordingly, the Court will **DENY** Plaintiff's application to proceed *in forma*

1 || pauperis. Plaintiff shall have 30 days from the date of this order to pay the required filing fee or  
2 this matter will be dismissed without further notice.

3 Dated this 4<sup>th</sup> day of November, 2011.

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6 RONALD B. LEIGHTON  
7 UNITED STATES DISTRICT JUDGE

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